

IN THE HIGH COURT OF JUDICATURE AT PATNA

Cr.Misc. No.33219 of 2008

GOLDEN SINGH @ RANDHIR SINGH

Son of Mithlesh Singh,
Resident of Village and Post
Office Kurthol, Police Station
Parsa, District Patna-----Petitioner

Versus

STATE OF BIHAR -----Opp. Party

2. 20.10.2008 Heard the learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in connection with Paliganj P.S. Case No.183/2007 for the alleged offences registered under sections 328 and 302/34 of the Indian Penal Code.

The allegation against the petitioner is of poisoning his wife leading to her death. The death of the deceased occurred in her *Nanihal*. Further allegation is that the petitioner has having an illicit relation with co-accused Juli, the cousin of the deceased.

It is submitted that one of the co-accused Pushpa Devi, who is *Mami* of the deceased, has been allowed bail by this Court as per the order dated 23.7.2008 passed in Cr. Misc. No.12754 of 2008. A certified copy of the said order has been produced, which is being kept on the record. It is further submitted that the police after investigation submitted the final form indicating it as mistake of fact.

The deceased, in fact, committed suicide. Besides the above, it is submitted that the informant-father of the deceased, filed an application before the court below stating therein to the effect that her daughter had herself committed suicide, which he could learn later.

The learned APP appearing for the State is not in a position to refute the submissions made above.

Considering the above, it is directed that the petitioner above named, in the event of his arrest or surrender in connection with Paliganj P.S. Case No.183/2007 within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Danapur, Patna, in connection with the aforesaid case, on the conditions mentioned in sub-section (2) of section 438 of the Code of Criminal Procedure.

PNM

(Shailesh Kumar Sinha, J.)

